

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

Case No. 18-cr-123 (JNE/BRT)  
ORDER

Steven Walter Smialek,

Defendant.

On June 25, 2018, Defendant Steven Walter Smialek moved the Court to suppress eyewitness identifications (ECF No. 32); to suppress evidence obtained as a result of search and seizure (ECF No. 33); and to suppress statements, admissions, and answers (ECF No. 34). In a Report and Recommendation (“R&R”) dated August 30, 2018, the Honorable Becky R. Thorson, United States Magistrate Judge, advised the Court to deny Defendant’s motions to suppress. (ECF No. 62.) Defendant objected to the R&R. (ECF No. 63.) Plaintiff responded, urging the Court to adopt the R&R. (ECF No. 64.) Based on a de novo review of the record, the Court adopts the recommended disposition. *See* 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2. Therefore, IT IS ORDERED THAT:

1. Defendant’s Motion to Suppress Eyewitness Identifications (ECF No. 32) be **DENIED**;
2. Defendant’s Motion to Suppress Evidence Obtained as a Result of Search and Seizure (ECF No. 33) be **DENIED**; and

3. Defendant's Motion to Suppress Statements, Admissions, and Answers (ECF No. 34) be **DENIED**.

Dated: October 16, 2018

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge